

WILLIAM A. SOKOL, Bar No. 072740
BRUCE A. HARLAND, Bar No. 230477
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501-1091
Telephone 510.337.1001
Fax 510.337.1023

Attorneys for Petitioner
SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 715

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STANFORD HOSPITAL AND CLINICS AND) No. C-07-5158 JF
LUCILE PACKARD CHILDREN'S)
HOSPITAL,) ADMINISTRATIVE MOTION TO
Petitioner,) CONSIDER WHETHER CASES
) SHOULD BE RELATED
)
v.) [CIVIL L.R. 3-12]
)
SERVICE EMPLOYEES INTERNATIONAL) RELATED TO:
UNION LOCAL 715,) C-08 1726 RS; and
) C-08 1727 HRL
Respondents.)

PLEASE TAKE NOTICE, that Petitioner Service Employees International Union, Local 715, has reason to believe that this case is related to another case in this Court. Pursuant to Civil Local Rule 3-12, Petitioner, Service Employees International Union, Local 715 (“Local 715” or the “Union”) files this Administrative Motion to Consider Whether Cases Should Be Related. Local 715 believes that this case is related to the cases referenced below, which are currently pending before the Honorable Jeremy Fogel. Both cases involve the same parties, the same Collective Bargaining Agreement, and substantially the same legal issues.

1. Related Case.

Stanford Hospital and Clinics and Lucile Packard Children's Hospital v. Service Employees International Union, Local 715, Case No. C-07-5158 JF;

1 *Service Employees International Union, Local 715 v Stanford Hospital and Clinics and*
 2 *Lucile Packard Children's Hospital*, Case No. C-08-0213 JF;

3 *Service Employees International Union, Local 715 v Stanford Hospital and Clinics and*
 4 *Lucile Packard Children's Hospital*, Case No. C-08-0215 JF; and

5 *Service Employees International Union, Local 715 v Stanford Hospital and Clinics and*
 6 *Lucile Packard Children's Hospital*, Case No. C-08-0216 JF.

7 Each of these cases are currently pending before the Honorable Jeremy Fogel.

8 **2. Relationship of the Actions.**

9 The present matter and the matters before Judge Fogel are related as defined by Civil Local
 10 Rule 3-12(a) in that they involve substantially the same parties, labor agreement, and questions of
 11 law.

12 Each of the actions involve the same parties and same Collective Bargaining Agreement
 13 (“CBA”). In the new actions recently filed, the Union seeks an Order compelling arbitration of one
 14 a grievance involving the unjust termination of a worker; the employer has refused to arbitrate the
 15 issue. In the related cases, Stanford Hospital and Clinics and Lucile Packard Children’s Hospital
 16 (the “employer”) have refused to arbitrate grievances pursuant to the parties’ CBA, or are
 17 attempting to vacate awards issued by a neutral third party arbitrator. Thus, Local 715 brought the
 18 related action in an effort to obtain an order from the Court compelling the employer to arbitrate
 19 the Union’s grievance pursuant the grievance/arbitration provisions of the parties’ CBA.

20 The legal issues are substantially the same, and if the cases are heard by different judges,
 21 there will be an unduly burdensome duplication of both labor and expenses, and the possibility of
 22 conflicting results. All of the cases are brought pursuant to Section 301 of the Labor Management
 23 Relations Act of 1947 (“LMRA”), 29 U.S.C. § 185(a). In addition, all of the cases involve
 24 substantially the same legal issues.

25 Accordingly, because it appears likely that there will be an unduly burdensome duplication
 26 of labor and expense, and/or conflicting results if the cases are conducted before different judges.
 27 This is primarily because both cases involve substantially the same parties and questions of law.

28

1 **3. Assignment of the Actions.**

2 Local 715 believes that the assignment of the action to Judge Fogel will conserve judicial
3 resources and promote an efficient determination of the actions. The matters assigned to Judge
4 Fogel were filed first in order; therefore, relating the cases before Judge Fogel is appropriate.

5 **4. Conclusion.**

6 For the reasons stated above, Local 715 respectfully requests that a related case order be
7 entered respecting this new case listed above.

8 Dated: April 17, 2008
9

10 WEINBERG, ROGER & ROSENFELD
11 A Professional Corporation
12

13 By: /s/BRUCE A. HARLAND
14 WILLIAM A. SOKOL
15 BRUCE A. HARLAND
16 Attorneys for Petitioner
17

18 1/488632
19

20
21
22
23
24
25
26
27
28